

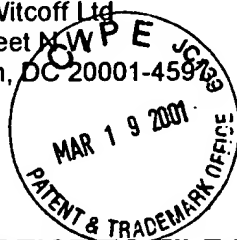


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/688,335	10/16/2000	Nicholas G. Duffield	03493.00054

Banner & Witcoff Ltd
1001 G Street N.W.
Washington, DC 20001-4597



RECEIVED

DEC 11 2000

BANNER & WITCOFF LTD.

FORMALITIES LETTER



OC000000005605970

Date Mailed: 12/08/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$412.
 - \$252 for 14 total claims over 20.
 - \$160 for 2 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

03/21/2001 MBERHE 00000095 190733 09688335
01 FC:101 710.00 CH
02 FC:105 130.00 CH
03 FC:102 160.00 CH

- The balance due by applicant is \$ 1252.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DOCKETED

NOTICE OF MISSING
DEC 12 2000

PARTS DUE:

08 FC 2001

OR JL 2001: Last Day 12/7/00

Section \$ 3

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="font-size: small; margin-top: 10px;">Patent fees are subject to annual revision.</p>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/688,335</td> </tr> <tr> <td>Filing Date</td> <td>October 16, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Nicholas G. Duffield</td> </tr> <tr> <td>Examiner Name</td> <td>TBA</td> </tr> <tr> <td>Group / Art Unit</td> <td>TBA</td> </tr> <tr> <td>Attorney Docket No.</td> <td>3493.00054</td> </tr> </table>		Application Number	09/688,335	Filing Date	October 16, 2000	First Named Inventor	Nicholas G. Duffield	Examiner Name	TBA	Group / Art Unit	TBA	Attorney Docket No.	3493.00054
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TOTAL AMOUNT OF PAYMENT (\$) 1682															

<p>METHOD OF PAYMENT (check one)</p> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <div style="margin-top: 10px;"> <p>Deposit Account Number: 19-0733</p> <p>Deposit Account Name: Banner & Witcoff, LTD</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> </div> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p style="font-size: small;"> <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other </p>					<p>FEE CALCULATION (continued)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>130</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td>390</td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - 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<p>SUBMITTED BY</p>				<p>Complete (if applicable)</p>	
Name (Print/Type)	Thomas H. Jackson	Registration No. Attorney/Agent	29,808	Telephone	(202) 508-9119
Signature				Date	March 19, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)	Attn: Applications Branch
)	
Nicholas G. Duffield et al.)	
)	
Serial No: 09/688,335)	
)	
Filed: October 16, 2000)	
)	
For: CONSISTENT SAMPLING FOR)	Atty. Docket No. 3493.00054
NETWORK TRAFFIC MEASUREMENT)	(IDS 2000-0065)

RESPONSE TO NOTICE TO FILE MISSING PARTS WITH DECLARATION

The Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

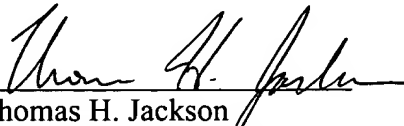
In response to the Notice to File Missing Parts of Application - Filing Date Granted (copy attached) mailed on December 8, 2000, submitted herewith are the executed Declarations of the inventors.

Please charge \$1,642.00 (\$130.00 surcharge fee, \$710.00 filing fee, \$412.00 additional claims fee and \$390.00 2 month extension of time) to our Deposit Account 19-0733 for the fees under 37 C.F.R. §1.16(a) and (e). However, if the calculated fee is not correct, you are authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 19-0733.

**PATENT APPLICATION
SERIAL NO. 09/688,335**

Entry of these documents completes all of the filing formalities and fully satisfy all requirements of the Notice to File Missing Parts. Accordingly, examination and allowance of this application in due course are respectfully solicited.

Respectfully submitted,
BANNER & WITCOFF, LTD.

By: 
Thomas H. Jackson
Registration No. 29,808

Banner & Witcoff, LTD.
1001 G Street, N.W.
Eleventh Floor
Washington, D.C. 20001-4597
Dated: March 19, 2001